

### **REMARKS**

In the Office action dated May 25, 2007, claims 58-77 stand rejected. Applicants appreciate the Examiner agreeing to conduct a telephonic interview on September 11, 2007. During the interview, Applicants and the Examiner discussed Applicants' proposed amendments to overcome the prior art of record, and that the Examiner would take under consideration the proposed claim amendments. Applicants hereby submit amended claims consistent with those proposed during the telephonic interview and respectfully request entry and consideration thereof. Applicants also hereby submit remarks pointing out that the combined teachings of the references are improper in achieving the claimed invention and, therefore, do not render the pending claims obvious. Applicants respectfully submit that these remarks accurately reflect the content of the interview and supplement the Interview Summary Form PTOL-413 issued by Examiner Vo. Applicants respectfully request entry of this paper in the record pursuant to 37 C.F.R. §§ 1.2 and 1.133 and MPEP § 713.04.

Applicants have amended claims 58, 63 and 68-69, canceled claims 59-62, 64, 73-74 and 76-77, and added new claims 78-83 in compliance with 37 C.F.R. § 1.121(c). Support for the amendments and new claims 78-83 is located, for example, at paragraphs [0017]-[0018], [0021]-[0022], [0047], [0062], [0064], [0105]-[0107], [0110] and [0112]. In view of the amendments and the following remarks, Applicants respectfully submit that claims 58, 63, 65-72, 75 and 78-83 are in condition for allowance.

#### ***1. Rejection of Claims 58-69 and 73-75 under 35 U.S.C. § 103(a) – Bashan in view of Zadini***

Claims 58-69 and 73-77 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent No. 3,900,030 issued to Bashan ("Bashan") in view of U.S. Patent No.

5,609,586 issued to Zadini et al. ("Zadini"). For the rejection under 35 U.S.C. § 103(a) to be proper, the references, alone or in combination, must teach or suggest all of the claim limitations. Applicants respectfully submit that neither Bashan nor Zadini, either alone or in combination, teach or suggest every claim element of the claimed invention as presently amended in claim 58 and in new claim 83. Neither Bashan nor Zadini disclose, for example, gel particles comprising reversible hydrophilic and hydrophobic constituents.

Briefly, Bashan discloses embedding gel particles in open-cell foam to form a tampon. While Bashan does describe gel particles, Applicants respectfully submit that Bashan does not describe gel particles comprising reversible hydrophilic and hydrophobic constituents. Further, Zadini describes an intravaginal expandable member for prevention of vaginal bleeding. Applicants respectfully submit that Zadini also does not describe gel particles comprising reversible hydrophilic and hydrophobic constituents.

Applicants thus respectfully submit that independent claims 58 and 83 are in condition for allowance. Claims 63, 65-72, 75 and 79-82 depend, either directly or indirectly, from claim 58. For the above-mentioned reasons regarding claim 58, Applicants submit that these claims are also in condition for allowance. Applicants hereby cancel claims 59-62, 64 and 73-74.

***2. Rejection of Claims 70-72 under 35 U.S.C. § 103(a) – Bashan, Zadini in view of Mumick***

Claims 70-72 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Bashan in view of Zadini as applied to claim 58, in view of U.S. Patent No. 5,969,052 issued to Mumick et al. ("Mumick"). For the rejection under 35 U.S.C. § 103(a) to be proper, the reference alone or in combination with another reference must teach or suggest all of the claim limitations. Applicants respectfully submit that neither Bashan, Zadini, nor Mumick, either alone or in

combination, teach or suggest every claim element of the claimed invention as presently amended.

Mumick does not disclose gel particles comprising reversible hydrophilic and hydrophobic constituents. Rather, Mumick discloses a polymer that dissolves when a temperature is below a specified temperature. For this reason regarding Mumick and the above-mentioned reasons regarding Bashan and Zadini, Applicants submit that the references, either alone or in combination, do not teach or suggest every element of the claimed invention. Applicants submit that claims 70-72 are therefore allowable.

***3. Rejection of Claims 58-65, 67-69, 71 and 73-75 under 35 U.S.C. §§ 102(b), 103(a) – EP ‘753***

Claims 58-65, 67-69, 71 and 73-77 stand rejected under 35 U.S.C. § 102(b) as being anticipated by or, in the alternative, under 35 U.S.C. § 103(a) as being obvious over European Patent Application EP 0 301 753 (“EP ‘753”). For a claim to be anticipated under 35 U.S.C. § 102(b), the reference must disclose each and every limitation in the claim. Applicants respectfully submit that EP ‘753 does not disclose every claim element of the claimed invention as presently amended in claim 58 and new claim 83. For the rejection under 35 U.S.C. § 103(a) to be proper, the reference alone or in combination with another reference must teach or suggest all of the claim limitations. Applicants respectfully submit that EP ‘753 does not teach or suggest every claim element of the claimed invention as presently amended.

Briefly, EP ‘753 discloses water absorbent structures. While EP’753 does describe a solid water-absorbing material comprising hydrophilic polymers, Applicants respectfully submit that EP ‘753 does not describe gel particles comprising reversible hydrophilic and hydrophobic constituents.

Applicants thus respectfully submit that independent claims 58 and 83 are in condition for allowance. Claims 63, 65, 67-69, 71 and 75 depend, either directly or indirectly, from claim 58. For the above-mentioned reasons regarding claim 58, Applicants submit that these claims are also in condition for allowance. Applicants hereby cancel claims 59-62, 64 and 73-74.

***4. Rejection of Claim 66 under 35 U.S.C. § 103(a) – EP ‘753 in view of Jensen***

Claim 66 stands rejected under 35 U.S.C. § 103(a) as being unpatentable over EP ‘753 as applied to claim 58, and further in view of U.S. Patent No. 5,571,080 issued to Jensen (“Jensen”). Claim 66 depends directly from claim 58. For the above-mentioned reasons regarding claim 58, Applicants submit that this claim is also in condition for allowance.

***5. Rejection of Claims 70 and 72 under 35 U.S.C. § 103(a) – EP ‘753 in view of Mumick***

Claims 70 and 72 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over EP ‘753 as applied to claim 58, and further in view of Mumick. For the rejection under 35 U.S.C. § 103(a) to be proper, the reference alone or in combination with another reference must teach or suggest all of the claim limitations. Claims 70 and 72 depend, directly or indirectly, from claim 58. For the reasons stated above regarding EP ‘753 and Mumick regarding claim 58, Applicants respectfully submit that neither EP ‘753 nor Mumick, either alone or in combination, teach or suggest every claim element of the claimed invention as presently amended.

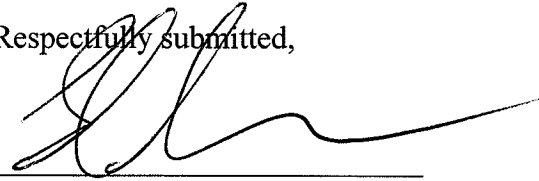
**CONCLUSION**

Applicants respectfully submit that all pending claims are in condition for allowance and request withdrawal of the pending rejections. If the Examiner believes a telephonic interview

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would expedite the prosecution of the present application, the Examiner is welcome to contact Applicants' Attorney at the number below.

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'Erik Saarmaa', written over a horizontal line.

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